IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

MONDAY, THE FIFTH DAY OF JULY
TWO THOUSAND AND FOUR

PRESENT
THE HON'BLE MR JUSTICE G. BIKSHAPATHY
and
THE HON'BLE MR JUSTICE B.SESHASAYANA REDDY

WRIT APPEAL NO : 998 of 2004

Between:
State Bank of India, rep.by its M.D.National Banking Group P.B.No.12, Mumbai-400021.

..... APPELLANT

AND

1 Andhra Pradesh Regional Rural banks Employees Association rep.by its General Secretary, S.Venkateswar Reddy,
Hyderabad.
2 Union of India, rep.by its Secretary, Ministry of Finance (Banking Division), Jeevandeep Building, Sansad Marg, New Delhi-1.
3 National Bank for Agriculture and Rural Development, rep.by its M.D.,C-24, G-block, Bandrakurla complex, P.B.No.8121, Bandra East, Mumbai-400051.

.....RESPONDENTS

Writ Appeal under Clause 15 of the Letters Patent against the Order dated 06/04/2004 in W.V.M.P.No.2272 of 2003 in W.P.M.P.No.10795 of 2003 in W.P NO : 8342 OF 2003 on the file of the High Court.

For the Appellant:MR.E.MADAN MOHAN RAO, Advocate.

For the Respondent No.1: MR.V.SRINIVAS , Advocate

For the Respondent No.2:Mr.K.SRINIVASAMURTHY, Advocate

The Court Made the Following :

JUDGMENT:(per Hon'ble Sri Justice G.Bikshapathy)

1. This Writ Appeal is filed by the appellant -State Bank of India challenging the order passed by the learned Single Judge dated 06-04-2004 in W.V.M.P.No.2272 of 2003 in W.P.No.8342 of 2003.

2. The learned Single Judge by an order dated 01-05-2003 in W.P.M.P.No.10795 of 2003, granted interim direction to the effect that the pay structure and allowances of the members of the petitioner-Association shall not stand diminished on account of the proceedings dated 25-03-2003. Thereafter, an application was filed by the management of the appellant-bank in W.V.M.P.No.2272 of 2003 and after hearing the parties, the learned single judge made the interim direction absolute by an order dated 06-04-2004. Against the said order, the present Writ Appeal is filed by the appellant- Bank.

3. The learned Counsel for the appellant bank submits that the learned single Judge has not properly construed the scope of interference under Article 226 of the Constitution of India. In fact, he submits that in perusal of the negotiations entered into between the members of the petitioner-Association and the management of the bank, the revised pay and allowances were

sought to be diminished by an order 25-03-2003 and therefore, the learned single Judge ought to have vacated the interim order passed earlier.

4. We are afraid we cannot accept the contention of the learned Counsel for the appellant. Inasmuch as the interim order was passed on 01-05-2003 and the same was made absolute on 06-04-2004, we find that it is not a fit case for interference at this stage, but, however, we find that the W.P.8342 of 2003 should be expedited.

5. Under those circumstances, while dismissing the present Writ Appeal, we direct the Writ Petition No.8342 of 2003 be posted for final hearing before the appropriate Court on 02-08-2004. No costs.

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Date: 05-07-2004 G.BIKSHAPATHY, J.

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B.SESHASAYANA REDDY, J.

To

1 The General Secretary, Andhra Pradesh Regional Rural banks Employees Association , Hyderabad.

2 The Secretary,Union of India, Ministry of Finance (Banking Division), Jeevandeep Building, Sansad Marg, New Delhi-1.

3 The Managing Director, National Bank for Agriculture and Rural Development, C-24, G-block, Bandrakurla complex, P.B.No.8121, Bandra East, Mumbai-400051.

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